

---

---

# ZONING ANALYSIS

---

---

## Planning Commission Public Hearing

June 4, 2013

## Board of Commissioners' Public Hearing

June 18, 2013

Prepared by:  
**COBB COUNTY**  
**PLANNING AND ZONING DIVISIONS**

***COBB COUNTY BOARD OF COMMISSIONERS***

**Tim Lee, Chairman**  
**Helen Goreham, District 1**  
**Bob Ott, District 2**  
**JoAnn Birrell, District 3**  
**Lisa Cupid, District 4**

***COUNTY MANAGER***

**David Hankerson**

***COBB COUNTY PLANNING COMMISSION***

**Bob Hovey**  
**Mike Terry**  
**Christi Trombetti**  
**Judy Williams**

***COBB COUNTY ZONING DIVISION***  
***COMMUNITY DEVELOPMENT DEPARTMENT***

**Robert Hosack, Director, Community Development**  
**John Pederson, Manager, Zoning Division**



*Cobb County... Expect the Best!*

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

**Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:**

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent property or nearby property;
- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; and
- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and
- (f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

**A  
G  
E  
N  
D  
A  
S**

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Planning Commission – June 4, 2013**

**NOTE:** *The applicant/property owner(s), prior to hearing date, may withdraw petitions contained in this agenda; therefore, the Planning Commission will not consider those cases.*

**REGULAR CASES --- NEW BUSINESS**

**Rezoning**

- Z-21**      **ACKERMAN EAST WEST, LLC** (owner) requesting Rezoning from **CRC** to **LI** for the purpose of Shop/Training in Land Lot 861 of the 19<sup>th</sup> District. Located on the east side of Tramore Pointe Parkway, southwest of the East-West Connector.
- Z-22**      **ACKERMAN EAST WEST, LLC** (owner) requesting Rezoning from **CRC** to **LI** for the purpose of Shop/Training in Land Lot 861 of the 19<sup>th</sup> District. Located on the east side of Tramore Pointe Parkway, southwest of the East-West Connector.
- Z-23**      **LENNAR GEORGIA, INC.** (Jonathan Jackson Tucker, Bridgette G. Tucker, Carolyn H. Mills and Nancy Tucker Farr, owners) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Residential Neighborhood in Land Lot 297 of the 20<sup>th</sup> District. Located on the southwest corner of Due West Road and Midway Road (4327, 4235 and 4225 Due West Road and 64 Midway Road).
- Z-24**      **COTTER PROPERTIES & DEVELOPMENT, LLC** (Charles A. Jones Estate, Augusta P. Jones, Norma M. and AA Gentry c/o Aubry Gentry and Rawn Lee Shaw, owners) requesting Rezoning from **R-30** to **RA-5** for the purpose of a Residential Subdivision in Land Lots 772, 813 and 814 of the 17<sup>th</sup> District. Located on the west side of Spring Hill Parkway, north of Spring Hill Road; and the eastern terminus of Vista Way (3303 and 3313 Cumberland Drive, 3400, 3410, 3420, 3440 and 3450 Spring Hill Parkway).



- Z-25**      **EAST LAKE ASSET MANAGEMENT, LLC** (Bobby G. Stanley, Robert V. Stanley and Tony M. Stanley, Co-Executors; and Internet Commerce Corporation Defined Benefit Plan, owners) requesting Rezoning from **R-12, R-15** and **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lot 915 of the 16<sup>th</sup> District. Located at the western intersection of Sewell Mill Road and East Piedmont Road, south of Bertha Way (1245 and 1257 East Piedmont Road and 2367, 2373, 2379, 2385 and 2391 Sewell Mill Road).
- Z-26**      **3148 JOHNSON FERRY, LLC** (Mack & Abe, Inc., owner) requesting Rezoning from **NRC With Stipulations** to **NRC With Stipulations** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 469 and 470 of the 16<sup>th</sup> District. Located on the east side of Johnson Ferry Road, south of Shallowford Road (3148 Johnson Ferry Road).
- Z-27**      **RICHARD DUNCAN** (Frederick C. Apple and Nancy L. Apple, owners) requesting Rezoning from **R-30** to **R-15** for the purpose of a Residential Subdivision in Land Lot 249 of the 16<sup>th</sup> District. Located on the west side of Wesley Chapel Road, across from Loch Highland Parkway (4025 Wesley Chapel Road).
- Z-28**      **RICHARD DUNCAN** (Edward Eugene Hindman, Philip W. Engle and Maureen Engle, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lot 112 of the 16<sup>th</sup> District. Located on the northwest side of Sandy Plains Road, west of Jefferson Ridge Way (4565 and 4605 Sandy Plains Road).
- Z-29**      **PAIGE MURPHY** (Paige Covington a/k/a Paige Covington Murphy, owner) requesting Rezoning from **GC** to **RA-5** for the purpose of Addition Of Property To Previous RA-5 (Single-Family) in Land Lot 694 of the 17<sup>th</sup> District. Located on the east side of Weaver Street, north of Cooper Lake Road (4259 Weaver Street).

### **Land Use Permits**

- LUP-17**      **SANDY CLOUGH** (Sandra L. Clough and Richard C. Clough, owners) requesting a **Land Use Permit (Renewal)** for the purpose of an Artist's Studio in Land Lot 336 of the 20<sup>th</sup> District. Located on the west side of Trail Road, west of Midway Road (25 Trail Road).

### **Special Land Use Permits**

**SLUP-4 3148 JOHNSON FERRY, LLC** (Mack & Abe, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 469 and 470 of the 16<sup>th</sup> District. Located on the east side of Johnson Ferry Road, south of Shallowford Road (3148 Johnson Ferry Road).

**SLUP-5 T-MOBILE SOUTH LLC** (William Wade Coots, owner) requesting a **Special Land Use Permit** for the purpose of Expansion Of Fenced Equipment Area in Land Lot 297 of the 18<sup>th</sup> District. Located on the southwest side of Mableton Parkway, northwest of South Gordon Road (6462 Mableton Parkway).

**NOTE:** “Pursuant to the Official Code of Cobb County, Zoning – Section 134-124(b) the Cobb County Board of Commissioners is authorized to consider and may consider all constitutionally permissible zoning classification(s), including, but not limited to, intervening classification(s) and/or the classification(s) sought by the applicant.”

**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Board of Commissioners – June 18, 2013**

*NOTE: Some of these petitions may not be heard by the Board of Commissioners. The Planning Commission may hold or continue some cases at their public hearing, and some cases may be withdrawn by the applicant/owner*

**CONTINUED CASES**

**Z-13**      **MICHAEL MCMILLEN AND JUSTIN MCMILLEN** (owners) requesting Rezoning from **R-12** to **LRC** for the purpose of a Professional Office in Land Lot 743 of the 17<sup>th</sup> District. Located on the east side of Atlanta Road, south of Paces Ferry Road (3691 Atlanta Road). *(Previously continued by Staff from the May 21, 2013 Board of Commissioners hearing.)*

**REGULAR CASES --- NEW BUSINESS**

**Rezoning**

**Z-21**      **ACKERMAN EAST WEST, LLC** (owner) requesting Rezoning from **CRC** to **LI** for the purpose of Shop/Training in Land Lot 861 of the 19<sup>th</sup> District. Located on the east side of Tramore Pointe Parkway, southwest of the East-West Connector.

**Z-22**      **ACKERMAN EAST WEST, LLC** (owner) requesting Rezoning from **CRC** to **LI** for the purpose of Shop/Training in Land Lot 861 of the 19<sup>th</sup> District. Located on the east side of Tramore Pointe Parkway, southwest of the East-West Connector.

**Z-23**      **LENNAR GEORGIA, INC.** (Jonathan Jackson Tucker, Bridgette G. Tucker, Carolyn H. Mills and Nancy Tucker Farr, owners) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Residential Neighborhood in Land Lot 297 of the 20<sup>th</sup> District. Located on the southwest corner of Due West Road and Midway Road (4327, 4235 and 4225 Due West Road and 64 Midway Road).

- Z-24**      **COTTER PROPERTIES & DEVELOPMENT, LLC** (Charles A. Jones Estate, Augusta P. Jones, Norma M. and AA Gentry c/o Aubry Gentry and Rawn Lee Shaw, owners) requesting Rezoning from **R-30** to **RA-5** for the purpose of a Residential Subdivision in Land Lots 772, 813 and 814 of the 17<sup>th</sup> District. Located on the west side of Spring Hill Parkway, north of Spring Hill Road; and the eastern terminus of Vista Way (3303 and 3313 Cumberland Drive, 3400, 3410, 3420, 3440 and 3450 Spring Hill Parkway).
- Z-25**      **EAST LAKE ASSET MANAGEMENT, LLC** (Bobby G. Stanley, Robert V. Stanley and Tony M. Stanley, Co-Executors; and Internet Commerce Corporation Defined Benefit Plan, owners) requesting Rezoning from **R-12, R-15** and **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lot 915 of the 16<sup>th</sup> District. Located at the western intersection of Sewell Mill Road and East Piedmont Road, south of Bertha Way (1245 and 1257 East Piedmont Road and 2367, 2373, 2379, 2385 and 2391 Sewell Mill Road).
- Z-26**      **3148 JOHNSON FERRY, LLC** (Mack & Abe, Inc., owner) requesting Rezoning from **NRC With Stipulations** to **NRC With Stipulations** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 469 and 470 of the 16<sup>th</sup> District. Located on the east side of Johnson Ferry Road, south of Shallowford Road (3148 Johnson Ferry Road).
- Z-27**      **RICHARD DUNCAN** (Frederick C. Apple and Nancy L. Apple, owners) requesting Rezoning from **R-30** to **R-15** for the purpose of a Residential Subdivision in Land Lot 249 of the 16<sup>th</sup> District. Located on the west side of Wesley Chapel Road, across from Loch Highland Parkway (4025 Wesley Chapel Road).
- Z-28**      **RICHARD DUNCAN** (Edward Eugene Hindman, Philip W. Engle and Maureen Engle, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lot 112 of the 16<sup>th</sup> District. Located on the northwest side of Sandy Plains Road, west of Jefferson Ridge Way (4565 and 4605 Sandy Plains Road).

**Z-29**      **PAIGE MURPHY** (Paige Covington a/k/a Paige Covington Murphy, owner) requesting Rezoning from **GC** to **RA-5** for the purpose of Addition Of Property To Previous RA-5 (Single-Family) in Land Lot 694 of the 17<sup>th</sup> District. Located on the east side of Weaver Street, north of Cooper Lake Road (4259 Weaver Street).

### Land Use Permits

**LUP-17**      **SANDY CLOUGH** (Sandra L. Clough and Richard C. Clough, owners) requesting a **Land Use Permit (Renewal)** for the purpose of an Artist's Studio in Land Lot 336 of the 20<sup>th</sup> District. Located on the west side of Trail Road, west of Midway Road (25 Trail Road).

### Special Land Use Permits

**SLUP-4**      **3148 JOHNSON FERRY, LLC** (Mack & Abe, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 469 and 470 of the 16<sup>th</sup> District. Located on the east side of Johnson Ferry Road, south of Shallowford Road (3148 Johnson Ferry Road).

**SLUP-5**      **T-MOBILE SOUTH LLC** (William Wade Coots, owner) requesting a **Special Land Use Permit** for the purpose of Expansion Of Fenced Equipment Area in Land Lot 297 of the 18<sup>th</sup> District. Located on the southwest side of Mableton Parkway, northwest of South Gordon Road (6462 Mableton Parkway).

**NOTE:**      **“Pursuant to the Official Code of Cobb County, Zoning – Section 134-124(b) the Cobb County Board of Commissioners is authorized to consider and may consider all constitutionally permissible zoning classification(s), including, but not limited to, intervening classification(s) and/or the classification(s) sought by the applicant.”**